

.Camden County Board of Commissioners

**Special Public Hearing – 7:00 p.m.
June 29, 2009
Historic Courtroom, Courthouse Complex
Camden, North Carolina**

MINUTES

A special public hearing meeting of the Camden County Board of Commissioners was held on Monday, June 29, 2009 at 7:00 p.m. in the Historic Courtroom, Camden, North Carolina. The following members were present:

Vice Chairman Melvin J. Jeralds
Commissioners Sandy Duckwall, Garry Meiggs and Michael McLain

Also present was County Manager Randell Woodruff, Clerk to the Board Ava Gurganus and Attorney John Morrison.

Chairman Philip S. Faison was absent due to eye surgery.

Vice Chairman Melvin Jeralds called the meeting to order at 7:00 p.m. and stated the special meeting was for a public hearing on the Camden Green Park Incubator Project.

A list of speakers was provided to the Commissioners and Vice Chairman Melvin Jeralds called upon the following to speak:

Peter Thomson, N.C. Realtor specializing in commercial property, gave a background on the origin of industrial parks. An Eco Industrial Park is a community of manufacturing and service businesses located together on a common property. Member businesses seek enhanced environmental economic and social performance through collaboration in managing environmental and social issues. By working together the community of businesses seeks a collective benefit that is greater than the sum of individual benefits each company would realize by only optimizing its individual performance. The goal of an Eco Industrial Park is to improve the economic performance of the participating companies while minimizing their environmental issues. Components of this approach include green design of park infrastructure and plants, cleaner production, pollution prevention, energy efficiency and inter-company partnering. An Eco Industrial Park also seeks benefits for neighboring communities to assure that the net impact of its development is positive. Communities and businesses that create eco-industrial parks will have a foundation for industrial development that is more competitive, more efficient, and cleaner than industrial parks. In addition new business niches will be opened for recruitment or incubation of new companies: this from Eco Industrial Parks, by Indigo Development the founder of the Eco Industrial Park concept. New Business niches bring jobs and new industry to Camden, which is especially important in Camden where 76% of residents commute to work elsewhere. The UNC Golden Leaf Study finds two hundred sixty (260) jobs in first three (3) years and \$258 K property taxes in first three (3) years.

Mr. Thomson further stated that for approximately six (6) months Green ECO Institute has been doing a market study on which companies might come to a green park: assisted by Ray White of the Northeast Partnership and Wayne Harris of ECDC. If the Green park and the incubator were ready to open today there would be commitments from eleven (11) companies for a total of one hundred twenty five (125) jobs ready to commit. Although Camden taxpayers will not be funding the incubator, it should have a positive impact on the community. Traditional incubators are centers for start-up companies who need low overhead during the first three (3) years of operation. They offer differing services to these companies at different prices and fulfill an important niche in the market place. A Green Park Incubator does this and more. The incubator has the following functions: recruiting - the incubator acts as a Business and Commerce Welcome center for the Camden Green Park and for Camden County itself; advising - the Incubator becomes the focus of innovative modern technology for sustainable industry. By

partnering with organizations across the country the Incubator brings the latest technology to the table so giving start-ups the greatest possible advantage in the market place; working with the community - Green Park incubators work with community educators to create a conservation dialogue between companies in the park and the public; and, Public Service - Green Park incubators are tasked with social responsibility.

Bob Norton, regional head for Sustainable NC, stated that the Green Eco Institute is not a real estate company, not a construction company, not a development company. Green Eco Institute is member of National Association of Incubator.

The building plans are for three (3) buildings (approximately 8,000 sq. ft.) on ten (10) acres; educational and training; business incubators; and agriculture and sciences. Start up would be 16-18 months from now if all goes well with formation of Green Park.

Penny Leary Smith, Dismal Swamp Director, inquired in what way were they working with UNC and NC State regarding agriculture.

Bob Norton stated that they have been in conversation with UNC and Research Triangle to share services and agreements with them are premature at this point before the public hearing.

Reed Adams, Pine Street, inquired about the timeline and asked if this project could interface with Elizabeth City State.

Bob Norton stated the timeline is a combination of due diligence, working with planners, obtaining surveys, DENR, Department of Transportation, agreement of location and it is a process that they will have to go through.

Terri Griffin asked about the funding for the project, maintenance and upkeep of the buildings. Mrs. Griffin also asked who was going to pay for the shortfall if ten (10) occupants were not secured.

Bob Norton stated that the funding is 100% responsibility of Green Eco Institute. The building will be paid for before startup and the funding for maintenance and operation will be from the incubator tenants.

County Manager Randell Woodruff read a letter of support from Senator Marc Basnight and Representative Bill Owens.

Dick Browner stated he had done the preliminary plan on the property, which a number of layouts that could be drawn, but should be discussed for the purpose of determining square footage and lots of various layouts. Mr. Browner reviewed the useable sites. The possible tax revenue income of build out of 487,000 sq. ft. is \$312,000.00. Mr. Browner suggested a 100' buffer on US17 and linear park on all future properties to provide attractive entrance and screening from traffic. It is important to create a park like atmosphere.

Doug Payne, National Account Manager for Residential and Commercial Development, and a specialist in Green Building. Mr. Payne spoke in regard to the green building industry due to environment and efficient quality of life. Green buildings sell higher and rent faster. There is no sufficient cost in the difference between building green building compared to conventional building. Mr. Payne stated that he would like to assist in making the Green Park as energy sustainable as possible.

Jennifer Palestrant, President of Elizabeth City Chamber of Commerce, spoke in support of Resolution No. 2009-06-05 as a first firm step to lay out a well planned master plan for the Green Park project.

Penny Leary Smith asked that money be allocated for a master plan.

Todd Tripp, McGill & Associates, spoke regarding the water and sewer for the Green Park; there is Golden Leaf funding for the water and sewer infrastructure to extend from

existing water force main to Keeter Barn Road to US 17 to the Green Industrial Park Site. Water service exists on McPherson Road and a 12" water main would be extended to the Industrial Park.

Ray White, Northeast Commission, spoke regarding new industrial park in Northeast North Carolina and spoke in favor of the development of the Green Park.

County Attorney John Morrison explained the *Option to Lease*.

Commissioner Melvin Jeralds asked the County Attorney if any agreement had been reached as to the location of the proposed leased ten (10) acres, to which Mr. Morrison replied no.

Commissioner Garry Meiggs inquired if it would not be imperative to have the Master Plan in place before the ten (10) acre parcel was designated, to which Mr. Morrison replied that once the ten (10) acres have been designated, the master plan would be designed around the ten (10) acres.

Dick Browner suggested the engineers meet with Mr. Norton.

Commissioner Melvin Jeralds voiced concerns regarding the choice location of the prime property by the pond for a motel.

Commissioner Sandy Duckwall thought that they had agreed to agree that the site around the pond would not be used.

Amendment to Agenda

Commissioner Michael McLain made a motion to amend the agenda to approve the *Option to Lease pursuant to Resolution No. 2009-06-05 Resolution Approving Conveyance of Property by Execution of Option to Lease Pursuant to NCGS 160A-279 – Green Park Incubator*. The motion passed with Commissioners Sandy Duckwall, Garry Meiggs, Michael McLain and Vice Chairman Melvin Jeralds voting aye; no Commissioner voting no; Chairman Philip Faison absent; and no Commissioner not voting.

Consideration of Resolution No. 2009-06-05 - Resolution Approving Conveyance of Property by Execution of Option to Lease Pursuant to NCGS 160A-279 – Green Park Incubator

Commissioner Michael McLain made a motion to approve Resolution No. 2009-06-05 - Resolution Approving Conveyance of Property by Execution of Option to Lease Pursuant to NCGS 160A-279 – Green Park Incubator. The motion passed with Commissioners Sandy Duckwall, Garry Meiggs, Michael McLain and Vice Chairman Melvin Jeralds voting aye; no Commissioner voting no; Chairman Philip Faison absent; and no Commissioner not voting.

Approved Resolution No. 2009-06-05 reads as follows:

NORTH CAROLINA
CAMDEN COUNTY

Resolution No. 2009-06-05

RESOLUTION APPROVING CONVEYANCE OF PROPERTY BY EXECUTION OF OPTION TO LEASE PURSUANT TO N.C.G.S. 160A-279 - GREEN PARK INCUBATOR

WHEREAS, the County of Camden owns property on the east side of U.S. Hwy. 17 North which is more particularly described in Plat Cabinet 6, Slide 145 of the Public Registry of Camden County, which property is approximately three (3) miles south of the Virginia line and one (1) mile north of the Dismal Swamp Visitors Center; and

WHEREAS, N.C.G.S. 160A-279 authorizes a County to convey real property by private sale to a non-profit corporation if the County is authorized by law to appropriate money to the corporation; and

WHEREAS, N.C.G.S. 160A-20.1 authorizes a County to contract with and appropriate money to any private entity to carry out any purpose that the County is authorized to carry out, and the County is authorized by N.C.G.S. 158-7.1 to engage in economic development; and

WHEREAS, N.C.G.S. 160A-279 allows Camden County to convey by Deed its fee simple interest and N.C.G.S. 160A-272 requires a lease of ten (10) years or more to be treated as a fee simple conveyance, thereby making N.C.G.S. 160A-279 appropriate for statutory compliance; and

WHEREAS, the County of Camden has negotiated with Green Eco Institute, Inc., a North Carolina non-profit corporation, an option to lease a ten (10) acre tract immediately adjacent to U.S. Hwy. 17 on its eastern side as above denominated so that corporation may construct office building(s) on the property for a business incubator to foster private businesses which will engage in manufacturers, distribution, service industries, education, research and development related to environmental science, alternate energy and bio-technology; and

WHEREAS, this option shall create a leasehold available to the corporation for a period of forty (40) years subject to various covenants and reversions to the County if certain specified goals and objectives, which will be particularly specified in the Lease, are not met; and

WHEREAS, the construction of the business incubator buildings together with maintenance of those structures and the active management of the incubation including recruitment, training, and marketing of green friendly businesses to occupy the incubator, will enhance the economic development of Camden County and provide jobs for its citizens;

NOW, THEREFORE, the Board of Commissioners of Camden County resolves:

1. The County Manager of Camden County is authorized to execute all documents necessary to convey an option to lease, for a period of twelve (12) consecutive months beginning July 1, 2009, and ending at 12:00 noon on June 30, 2010, for a ten (10) acre tract, previously referenced, and more particularly described as follows:

DESCRIPTION TO FOLLOW AFTER COMPLETION OF SURVEY

2. The consideration for this option and any subsequent lease executed pursuant to the same is the following set of conditions and restrictions which shall be agreed to within the option, a copy of which is attached as Exhibit "A".

a. The corporation will construct, at its own expense, on the subject property a finished building or buildings of at least twenty thousand (20,000) square feet suitable for incubation of environmentally sensitive businesses which will utilize "sustainable design". Sustainable design is defined as an environmental and economic balance that accommodates human needs without diminishing the health and productivity of natural resource systems. Such businesses, whether engaged in manufacturing, distribution, services or education, will be designed to produce goods and services that will allow society to continue to function and grow without being forced into decline through exhaustion, overloading or restricting key natural resources. Moreover, the structure or structures to be provided on the leasehold will be environmentally friendly and themselves of a sustainable design so as to protect the land, conserve energy and make use of to the extent possible, natural, renewable materials.

b. The corporation will be required to provide suitable furnishings for the structures, maintenance of the same and its grounds, and payment of utility services.

c. The corporation will be solely responsible for incubator development which shall include identification of source funding in the approximate amount of \$2,300,000.00 and pursuit of the same by grant application. Thereafter, the corporation shall bid the work, supervise construction, develop lease documents for client businesses, solidify long term relationships with others such as sustainable North Carolina, etc.; recruit interest and participation from academia, in particular the University of North Carolina System, work with the Camden County School System and other local school systems to develop and present educational programs for their use; work with the North Carolina Department of Agriculture and the United States Department of Agriculture to develop agricultural programs related to environmentally sensitive and renewable energy issues and to make regular reports to the Camden County Board of Commissioners or any advisory committee established by the County Commissioners, at least bi-monthly.

d. The corporation shall provide incubator management on the property to be leased herein, and within the improvements on the same, which improvements shall be exclusively dedicated to this purpose. Business incubation management is defined as: the acceleration of the successful development of entrepreneurial companies through business support resources which shall include, but not be limited too, office space and shared administrative services developed and orchestrated by the corporation and such services will be offered both on the premises and through a viable network of business contacts. The corporation will develop acceptance criteria for potential incubation clients who show feasible business ideas and a workable business plan. Additionally, the corporation shall establish continuing educational and economic development programming on site to service the citizens of Camden County and its school system. All improvements constructed, and their contents, shall be maintained by the corporation in a safe, attractive manner suitable for this mission.

3. For the option to be effective and binding on the County, the following conditions must be met by the corporation and the County:

a. The corporation must obtain 501(c)(3) status from the Internal Revenue Department to allow it to apply for grants from governmental and private entities.

b. The corporation must obtain funding, readily available, for the incubator building, grounds, furnishings, equipment and programming in the amount of \$2,300,000.00 or more as required.

c. The County must obtain from the Department of Transportation a “cross over” over Hwy. 17 accessing the leasehold and provide water and sewer connections as well as water from the South Mills Water Association. Additionally, the County shall provide paved access from Hwy. 17 to the edge of the leased property and a storm water runoff design and engineering for the paved access only.

d. Each party agrees to promptly pursue these contingencies, keep the other advised, and use their best efforts.

4. If said contingencies are met, or are confirmed as being timely available to the project, the County shall let to the corporation, a leasehold pursuant to the option attached hereto as Exhibit “A” and the lease attached hereto as Exhibit “B”.

7. The County Clerk shall publish a notice summarizing the contents of this resolution, and the option may be let at any time after ten (10) days after publication of the notice.

This the 29th day of June, 2009.

Melvin Jeralds, Vice Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus
Clerk to the Board

(SEAL)

Adjournment

Commissioner Michael McLain made a motion to adjourn the special meeting. The motion passed with Commissioners Sandy Duckwall, Garry Meiggs, Michael McLain and Vice Chairman Melvin Jeralds voting aye; no Commissioner voting no; Chairman Philip Faison absent; and no Commissioner not voting.

The meeting adjourned at 8:18 p.m.

Melvin J. Jeralds, Vice Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus
Clerk to the Board